

EXHIBIT 1



USCP

INVESTIGATIONS DIVISION

Incident Sheet

ORI : [REDACTED]

Incident ID: [REDACTED]

Incident Sheet
#:214

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Associated Names**Incident/Name Information****Involvement :** DIRECTION OF INTEREST**Linked Name :** WATERS, MAXINE , INDIVIDUAL**Incident/Name Information****Involvement :** REPORTING PARTY**Linked Name :** [REDACTED] , INDIVIDUAL**Incident/Name Information****Involvement :** SUSPECT**Linked Name :** GAHERTY, BRIAN MICHAEL, INDIVIDUAL

Incident ID: [REDACTED]

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Associated Names

Incident/Name Information

Involvement : SUSPECT

Linked Name : GAHERTY, BRIAN MICHAEL, INDIVIDUAL

Juvenile At Time : ☐Withhold Name : ☐Domestic Violence : ☐

Current Name Information

Age : 60

City : HOUSTON

Address : [REDACTED] PINEBROOK LN

State : TX

Zip : 77053

Person Information At Time of Incident

GAHERTY

Last Name : GAHERTY

Build :

First Name : BRIAN

Eye Color : BLUE

Middle Name : MICHAEL

Glasses :

Suffix :

Complexion :

Known As :

Height Low : 6'1"

SSN : [REDACTED]

Height High :

Date of Birth : [REDACTED] 52 12:00AM

Weight Low : 229

Age Low : 60

Weight High :

Age High :

Hair Length :

Gender : MALE

Hair Color : GRAY OR PARTIALLY GRAY

Race : WHITE

Facial Hair :

Ethnicity :

Facial Hair Color :

Driver License : [REDACTED]

Citizenship :

DL Expiration :

Place of Birth :

DL State : TX

State ID :

Voice :

Driver's License
Class :

Home Address : [REDACTED] PINEBROOK LN, HOUSTON, TX 77053

Mailing Address :

Physical
Characteristics :

Home Phone : 713 [REDACTED]

Passport # :

Other Phone : 346 [REDACTED]

Country of
Issuance :

Work Phone :

Date Issued :

Cell Phone :

Email : [REDACTED]@AMERITECH.NET

Expiration Date :

Secondary Email :

Narratives For Incident

Title :

Narrative Type : INITIAL NARRATIVE

Entered On : 11/17/2022 20:29

Incident ID: [REDACTED]

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Narrative : On November 17, 2022 at about 01:08 hours ET the USCP TAS received a report from the Office of Maxine Waters:**Reporting Email:**

"On Wednesday November 16, 2023, at 16:37 PT, a male suspect called the District Office of Congresswoman Maxine Waters [REDACTED] from 346-803-9445 and made a verbal threat. The male suspect said, and I quote 'tell Congresswoman Maxine Waters when I see her on the street I'm going to bust her upside her head'. I said who is this, he said 'fuck, who this is, tell that lying Bitch I'm looking for her...'"

At about 09:11 SA Bank contacted TracFone Phone Wireless Inc. and requested information disclosed under exigent circumstances. "Jack" with TracFone advised that no personal information was on file, but the phone was purchased from a Walmart. "Jack" advised he would research the point of purchase.

At about 09:23 SA Bank contacted T-Mobile and requested historical cell-site records for the past 48 hours as well as a one time ping in order to determine proximity.

SA Bank reviewed the call logs which revealed numerous calls. Of note was:

-Numerous calls, with lengthy call durations, were made to Irene and John B Gaherty (713-[REDACTED] 630-[REDACTED] and 281-[REDACTED]).

-Several inbound and outbound calls were made with the number 281-980-5519.

-Several calls were made to 312-744-3300, which is Mayor of Chicago Lori Lightfoot's Office.

-Target number called TracFone twice on September 23, 2022 (877-440-9758)

-Target number called Pizza Hut on Fuqua St., Suite H, Houston, TX on September 17, 2022 around 23:00 ET.

-IMEI from 9/22 to 9/26: 16023003090420

-IMEI from 9/15 to 9/22: 16023003347890

IMSI for both IMEIs: 310260783660007

*The international mobile subscriber identity (IMSI) is a number that uniquely identifies every user of a cellular network. It is stored as a 64-bit field and is sent by the mobile device to the network.

At about 09:54 T-Mobile provided the following one-time ping to determine proximity to Rep. Waters:

MSISDN: 3468039445

Web Map Ping: Longitude: -95.448081, Latitude: 29.611652, Radius: 21.0, Local Time Stamp: 11/17/2022 6:52:00 AM

Plotting the coordinates on G-Maps places the subject within a radius of 21 [meters] of the following address: [REDACTED] Pinebrook Ln, Houston, TX 77053. Within the 20 meter radius is no public property, and 3 other residents:

4623 Pinebrook Ln

4622 Smooth Oak Ln

4626 Smooth Oak Ln

A review of [REDACTED] Pinebrook Ln, Houston, TX 77053 revealed associations to Irene and John B Gaherty mentioned from call log examination. Additionally, a Teresa Gaherty (Age 98) and Brian Michael Gaherty (Age 60) appear to be living at the home now based off driver's license addresses and voter records in the Accurint address report. No associations were discovered at the remaining three addresses.

A search of Harris County records (<https://www.hctx.net/Property/PropertyTax>) revealed [REDACTED] Pinebrook Ln, Houston, TX is current on it's taxes and owned by GAHERTY BRIAN MICHAEL.

A search of Linx for the property revealed a July 29, 2018 incident entered by the Pearland Police Department (TX), Incident 64194, listed Brian Gaherty (DOB: [REDACTED] 1962, SSN: [REDACTED]) as arrested. [LINX POC listed as 281-[REDACTED])

A review of the 48 hours historical cell-site call logs from T-Mobile revealed:

-The IMIE and IMSI are the same from September 22 thru 26, 2022.

-A call was made on November 17, 2022 00:37:02 UTC (16:37 PT) to [REDACTED] (Reported receiving number).

-Cell towers place Gaherty in Houston, TX when making the calls.

-The next call, at 00:39, was to, 312-744-4321, the Office of the City Clerk in Chicago, which shows no call duration.

-The next calls, at about 00:44 and 00:47 were to Rep. [REDACTED] SA Bank requested Daniel Bonthius supply the voice messages or call details via email.]

At about 11:55 hours ET SA Bank emailed Olga Gonzalez ([REDACTED]@HoustonPolice.Org, Houston Threat Management Unit) a summary of the case and requested any information Houston PD may have on GAHERTY, the target number, and address associated to GAHERTY.

Database Checks:

RMS (PD76/NOI): Negative by name [GAHERTY].

Accurint/TLO: A search of GAHERTY in Accurint revealed:

Name: Brian Michael Gaherty

Address: [REDACTED] Pinebrook Ln, Houston, TX 77053

DOB: [REDACTED] 1962

SSN: [REDACTED]

Email: [REDACTED]@ameritech.net

USAO_000172

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Home Phone: 713-[REDACTED]

DL: TX [REDACTED]

Vehicle: Blue 2008 Toyota Tacoma Pickup, TX Tag FMG7922. VIN 5TENX22N28Z544873 (Vehicle matching description parked in open garage on Google maps image captured in July of 2022.

*Appears mother Teresa Gaherty may reside in residence as well.

AACV: 12/18/1992 Plead guilty to DWI 1st.
1/22/1993 Convicted DWI 2nd.

NCIC/FBI/III: No wants, warrants, or criminal history.

PIX: Negative. Added.

Open Source:

A skopenow search revealed no new information.

A search of Facebook failed to identify an account.

At about 13:13 hours ET the Office of Rep Ocasio Cortez provided the requested voice messages left on November 16, 2022.

SA Bank advised SA Guest that the new case information had been added to the case file.

INITIAL REPORT

On November 17, 2022 at approximately 1503 hours EST, United States Capitol Police – Threat Assessment Section was advised by [REDACTED] (District Director, Rep. Maxine Waters – CA, [REDACTED]) of threatening voicemails from 346-[REDACTED] which were directed towards United States Representative Maxine Waters. On 11/17/2022 at approximately 1531 hours EST, B. Kelley was assigned the case by TAS supervisors for review.

[REDACTED] provided the following voicemails:

*****Beginning of Voicemail contents*****

From: 346-[REDACTED]
Voicemail #1
8/8/2022 @ 2255 PDT

“Hey, you black bitch. You fuck with my people man. All that racism shit bitch, you up in age, 80 years old and shit, trying to remember 1960 and all that bullshit. And causing controversy bitch. We got something for your ass now bitch, you black motherfucker. Yeah, we coming for you bro. You better. Hey, like you told them motherfuckers to go and and do what they had to do. We coming for your black ass, bitch ass now motherfucker. You hoe ass bitch. I'mma cut your throat, I'mma cut your black ass throat nigga.”

Voicemail #2
8/8/2022 @2257 PDT

“Maxine, you outa there (unintelligible) ay. What, you about 80 years old nigga? Look, you better go bye bye bitch. Nigga bitch, look, you got the wrong boys in the area, you got two days (unintelligible). We got a contract on your bitch ass, black ass, motherfucker ass. You better move man. You better God damn move (unintelligible). If not, we gunna put a cap between your motherfucking eyes hoe. (unintelligible) I'm gonna stomp you bitch. We finna stomp you, bitch. We finna stomp you bitch.”

*****End of contents*****

NOTIFICATIONS

On 11/17/2022 at approximately 1545 hours EDT, SA B. Kelley contacted the reporting party (District Director [REDACTED]) via telephone ([REDACTED]). During the phone call SA B. Kelley advised that USCP-TAS will attempt to identify & interview the subject of the case. SA B. Kelley requested a 2-3 week MOC schedule and if the MOC would like directed patrols at this point in time. Ms. [REDACTED] advised that she will reach out to the MOC and provide an answer to USCP-TAS afterwards.

USAO_000173

Incident ID: [REDACTED]

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On 11/17/2022 while conducting database checks of the target phone number, CRS Toland uncovered database checks that were ran by TAS SA Bank on 11/17/2022 in reference to a different case involving the same subject. SA B. Kelley was advised and contacted SA Bank for more information. SA Bank advised that the individual has been identified as Brian GAHERTY (DOB: 7/29/62). SA Bank additionally conducted a 1-time ping of the target phone on 11/17/2022 which revealed its location at the individual's residence (Houston, TX).

NOTIFICATIONS

On 11/17/2022, SA B. Kelley submitted an internal threat notification to USCP-TAS supervisors for review and dissemination.

On 11/17/2022, SA B. Kelley provided the reporting party ([REDACTED]) a photo sheet of GAHERTY via E-mail.

DISPOSITION

USCP-TAS supervisors advised that SA Guest will take over the case on 11/18/2022 due to the agent already working an active case involving GAHERTY. SA Guest will continue with any investigative efforts moving forward.

Title :

Narrative Type : SUPPLEMENTAL

Entered On : 11/18/2022 17:27

Incident ID: [REDACTED]

Narrative : PRELIMINARY INVESTIGATION NARRATIVE NARRATIVE

On November 18, 2022, a review of the case revealed that the suspect was previously identified as Brian Michael GAHERTY, who is associated to case# [REDACTED] and that their name record was linked to the case.

In reference to case# [REDACTED], on October 17, 2022, SA Guest called Suspect's phone number (346) [REDACTED], and identified themselves as a United States Capitol Police agent and explained to the unidentified Suspect that the purpose for the call was in relation to concerning voicemail messages received from phone number (346) [REDACTED], directed towards Congresswoman [REDACTED]. The male Suspect, identified himself as Tommy BEALER. BEALER claimed that he had received calls from multiple agencies regarding making threatening phone calls from phone number (346) [REDACTED]. BEALER denied making or leaving any threatening voicemail messages and stated that he acquired phone number (346) [REDACTED] from T-Mobile, seven weeks ago and then abruptly hung up the phone on agent. BEALER'S voice and tone over the phone resembled that of the unknown Suspect's voice, who left the concerning voicemail messages directed at Congresswoman [REDACTED]. On the same dated, after SA Guest spoke with the Suspect who identified himself as BEALER, the Office of Congresswoman [REDACTED] received five voicemail messages from phone number (346) [REDACTED]. In several of the voicemail messages the Suspect made reference to having the Capitol Police called on him and their voice resembled that of the Suspect, who identified himself as BEALER.

On November 23, 2022, a Skopenow search of GAHERTY, did not reveal associated social media accounts.

RMS database search on Brian Michael GAHERTY revealed the following incidents:**Incident #****Reported Date****Link Date****Involvement****Status****Offenses****Agency**[REDACTED]
09/13/2022

11/17/2022

SUSPECT

FURTHER INVESTIGATION / OPEN

DIRECTION OF INTEREST (Primary)

USCP

[REDACTED]
11/17/2022

11/17/2022

SUSPECT

FURTHER INVESTIGATION / OPEN

THREAT (Primary)

USCP

LEGAL PROCESS (Subpoena Request Phone Number (346) 803-9445) | Case# [REDACTED]

On October 18, 2022, SA Guest submitted a subpoena request to the DC US Attorney's Office (USAO) National Security Section for a subpoena to be served on T-Mobile for account information pertaining to phone number (346) [REDACTED].

On October 20, 2022, DC US Attorney's Office (USAO) National Security Section granted Grand Jury Subpoena #GJ2022101995886.

On October 26, 2022, T-Mobile returned subpoenaed account information pertaining to phone number (346) [REDACTED]

SUBPOENA RETURN – T-MOBILE (Grand Jury Subpoena #GJ2022101995886)

On October 26, 2022, SA Guest reviewed subpoenaed records provided by T-Mobile. Records included the following information:

Call Detail Record (CDR): Total of 771 encompassing incoming calls, outgoing calls, and text messages

Subscriber Information: No identifiers provided

Custodian of Record (Non-essential to case, listed for documentation purposes)

Cost Reimbursement Program – Rate Schedule (Non-essential to case, listed for documentation purposes)

Request Submission Response (Non-essential to case, listed for documentation purposes)

T-Mobile Interpreting Records (Non-essential to case, listed for documentation purposes)

On November 14, 2022, an analysis of the CDR indicated that the unidentified subject called Houston 311 Help & Information number a total of 8 times from September 13, 2022 – September 26, 2022. On the same date, SA Guest contacted Houston 311 Help & Information and spoke with Ms. Craft (manager), and requested identifiable information pertaining to the subject that may have been obtained during his calls for service. Results are pending. (Email attached)

On November 14, 2022, SA Guest sent an email to the Houston Regional Intelligence Service Center requesting identifiable information pertaining to targeted phone number (346) [REDACTED]. Results are pending. (Email attached)

On November 18, 2022, the below information was reviewed and attached to the cases:

Houston Regional Intelligence Service Center (HRISC) provided the following identifiers pertaining to targeted phone number (346) 803-9445:

Brian GAHERTY
DOB [REDACTED] 62
Address [REDACTED] Pinebrook LN, Houston, Harris, TX 77053
TDL [REDACTED]
Mobile (346) [REDACTED]

Additionally, HRISC provided information related to GAHERTY making a terroristic threat utilizing phone number 346-[REDACTED] on August 8, 2022 (HPD Incident number [REDACTED]).

ADDITIONAL NOTES

On November 18, 2022, SA Guest contacted staffer [REDACTED] via email (first request was made via phone call by SA B. Kelley on 11/17/2022) and requested the Member's schedule and asked if the Member would like direct patrols conducted at their DC residence. Pending results.

On November 18, 2022, a LinX check of GAHERTY revealed that he was a victim of a shooting and robbery which occurred in the driveway of his home on June 23, 2016.

Further review of LinX records indicated that GAHERTY was arrested on July 29, 2018, by Pearland Police Department (Texas). On November 18, 2022, SA Guest contacted Pearland Police Department (PPD) and requested a copy of GAHERTY'S arrest report. On the same date, PPD provided Incident Case Report: 18-007350, a review of the report indicated that GAHERTY inappropriately touched a waitress causing a disturbance and was subsequently arrested for public intoxication. (See attachment).

Additionally, GAHERTY currently has an open DOI case (RMS [REDACTED]), pending information requests from Houston Police Department pertaining to a terroristic threat, Houston 311 Help & Information related to calls for service, and Houston Regional Intelligence Service Center requesting identifiable information pertaining to targeted phone number (346) [REDACTED].

On November 23, 2022, case referred to FBI in order to locate and interview GAHERTY, and to present this case to the AUSA for violations of 18 USC 875c (Threats/interstate communications). Pending results.

Title :

Narrative Type : SUPPLEMENTAL

Entered On : 12/07/2022 14:20

Incident ID: [REDACTED]

Narrative : **ADDITIONAL NOTES**

NARRATIVE

On November 30, 2022, Houston Police Department (HPD) provided HPD Incident Report [REDACTED] related to GAHERTY making terrorist threats. A review of the incident report indicates that GAHERTY made a telephonic threat (from phone number (346) [REDACTED]) directed at Coco Dominguez from Fox News (Fox 26 Houston). GAHERTY called Fox News Station a total of five times and on one of the calls GAHERTY stated:

"Tell Coco Dominguez that she messed with the wrong mother fucker, im going to cut her fucking throat."

Further review of the report indicates that during a telephonic interview GAHERTY identified his last name as BEELER, which is consistent with the last name (BEALER) he provided during the telephonic conversation with SA Guest (USCP) on October 17, 2022.

On December 1, 2022, SA Guest spoke with investigating Detective A.J. Carroll (713 [REDACTED]) from Houston Police Department (HPD) regarding Incident Report [REDACTED]. Detective A.J. Carroll indicated that he telephonically interviewed GAHERTY, (which was recorded) and that the case was presented to the State's Attorney Office, which prosecution was declined. Detective A.J. Carroll was made aware that GAHERTY, has an active threat case ([REDACTED]) and would be interviewed. Detective A.J. Carroll stated that he would be happy to provide assistance with the interview, if needed.

On December 3, 2022, Detective A.J. Carroll (713 [REDACTED]) from Houston Police Department (HPD) provided investigative reports, as well as subscriber subpoena that was submitted for the Suspect's phone number. The contents of the report contained witness statements, complainant statements, suspect interview narrative, and rap sheets. Additionally, audio recordings of Detective A.J. Carroll's interview of GAHERTY, is available if needed. Interview may be requested directly from Detective A.J. Carroll at the following email address: [REDACTED]

[REDACTED]@HoustonPolice.Org

Title :

Narrative Type : SUPPLEMENTAL

Entered On : 02/23/2023 15:08

Incident ID: [REDACTED]

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Narrative : 883706 WF / Guest / [REDACTED]

(U) In person interview of Gaherty

Authorized Method: Accept voluntarily provided information by governmental or private entities.

Description: On 12-15-22 at approximately 1230 hours, TFO M D Smith and TFO G Robertson, both Task Force Officers with FBI Houston, arrived at 4619 Pinebrook Ln Houston TX to find Gaherty walking across the street. TFO Smith, with body camera recording, exited his vehicle and noticed Gaherty walking to 4602 Pinebrook Ln right across the street from his home. Gaherty later advised that his neighbor, Vince Douglas, allowed him to was clothes at his house since Gaherty's plumbing was messed up. Gaherty stated his number is 713 [REDACTED].

TFO's identified themselves and verified that he was in fact Brian Gaherty. Gaherty gave a phone number of 713 [REDACTED] two times during the interview and stated that he never had a phone number with area code 346. Gaherty denied ever making any threats to anyone and danced around the subject stating that he gets calls from all kinds of numbers but he denied ever threatening any one. When provided a few details of the threat against Congresswoman Maxine Waters, Gaherty denied making the threat and deflected to another subject. During the interview, Gaherty did admit that he was in possession of two guns one of which one of which he purchased himself and the other gun that he got from his brother in-law which is a revolver. TFO's made note that Gaherty had a blue Toyota Tacoma, that was bearing Texas license plate #FMG-7922, parked in the garage of his residence.

Gaherty stated that he was diagnosed with PTSD due to being shot during a Robbery in his front yard. When asked to see Gaherty's phone, he deflected and advised that it was dead. He did show the TFO's a bag of flip phones in various conditions, acting as though they did not work but did provide two receipts of walmart flip phones made by Alcatel (My Flip 2) model number noted as 061696038408 purchased both from the Walmart located at 11210 W Airport Blvd. On 6-3-22 the serial number on that phone was # 840016023003090648, on 7-1-22 # 840016023003347899.

Gaherty provided his sister's phone number as 713 [REDACTED], Irene Johnson in order to get in touch with him since his number is not working. TFO's ended the interview noting that it was all recorded on body camera and can be retrieved via request [REDACTED]@HoustonPolice.org (advise looking for video recorded on Officer M D Smith's body camera 12-15-22 at 1220 hours, payroll 111085) TFO Smith attached all HPD reports tied to Gaherty involving threats.

[REDACTED]

[REDACTED]

Title :

Narrative Type : SUPPLEMENTAL

Entered On : 03/06/2023 12:48

Incident ID: [REDACTED]

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Narrative :

NARRATIVE

ADDITIONAL NOTES

GAHERTY was interviewed by Task Force Officers with FBI Houston. [REDACTED]

[REDACTED]

[REDACTED]

On March 6, 2023, SA Guest contacted Timothy Oxford ([REDACTED]@HoustonPolice.Org), from Houston Police Department (HPD) - Office of Technology Services to obtain video footage from GAHERTY'S December 15, 2022 interview.

On March 7, 2023, Timothy Oxford provided the requested video footage. (File is too large to attached)

On March 7, 2023, SA Guest called GAHERTY'S sister Irene Johnson (Phone#713-[REDACTED]), and left a message requesting a callback. During GAHERTY'S December 15, 2022, interview he was in possession of multiple phones and provided his sister's name and above contact information. The purpose of the call is to confirm that the number is associated to Irene Johnson, and not a secondary phone number used by GAHERTY. (Recording attached)

On March 7, 2023, SA Guest called phone number 346-[REDACTED], which is associated with GAHERTY and had a brief conversation with the individual who answered the phone. The individual did not identify themselves and stated that he had a doctor's appointment and need to get off the phone. SA Guest requested a callback from the individual suspected to be GAHERTY. The purpose of the call was to determine if GAHERTY, would identify himself using his real name or the fictitious name Tommy BEALER (BEELER), which he previously used in case# 2022-007231 . (Recording attached)

On March 7, 2023, at approximately 11:16am EST, GAHERTY called agent and stated that someone called his sister, Irene and left a message to callback and that his sister called him crying. SA Guest advised GAHERTY that agent called his sister Irene Johnson and left the message for her to callback. (Recording attached)

On March 10, 2023, SA Guest contacted Detective Carroll (HPD) and requested a copy of the recording(s) from GAHERTY'S interview. On March 11, 2023, SA Guest followed-up interview recording(s) request with an email. Pending results.

Title :

Narrative Type : SUPPLEMENTAL

Entered On : 03/14/2023 17:09

Incident ID: [REDACTED]

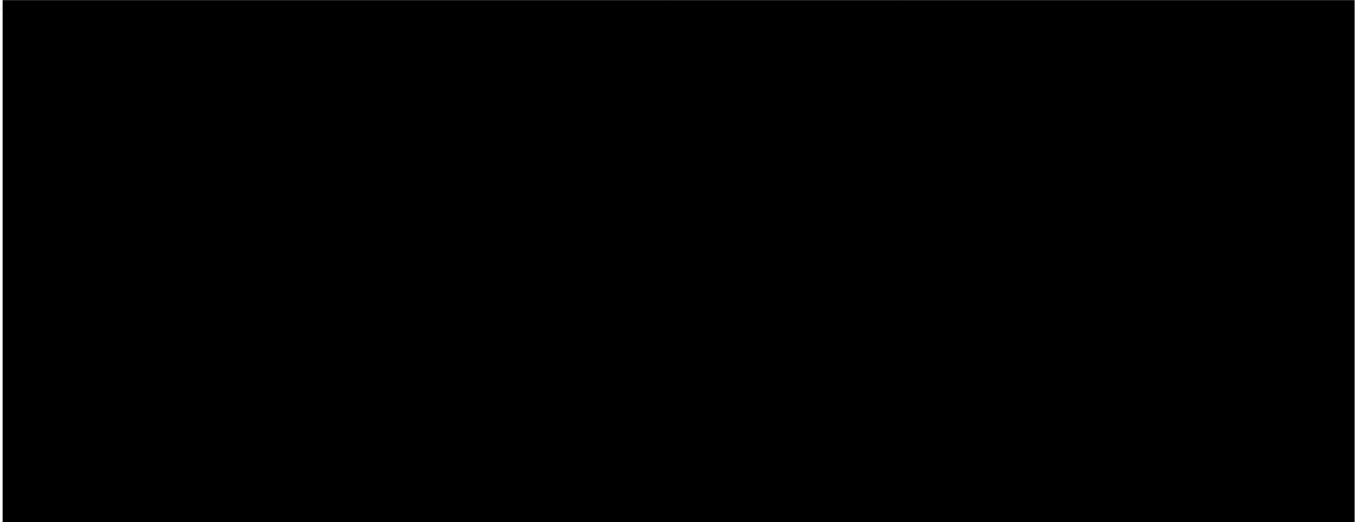
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Narrative :

NARRATIVE

ADDITIONAL NOTES



Involved Officers

Officer	Involvement	Section
GUEST, MICHAEL V	Reporter	
KELLEY, BRANDON S	Assisting	